

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Luis Alonzo Luna,  
a.k.a.: Adrian Rafael Lara-Escalante,  
a.k.a. Adan Lara-Escalante,  
(A088 353 229)Defendant

Case No. 17-7494MJS

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 30, 2014, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:


Luis Alonzo Luna, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about November 6, 2013, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jillian M. Besancon

☒ Continued on the attached sheet.
  
Complainant's signature

Salvador Delgado II,  
Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: October 16, 2017
  
Judge's signature
City and state: Phoenix, Arizona

Bridget S. Bade,  
United States Magistrate Judge  
Printed name and title

### **STATEMENT OF PROBABLE CAUSE**

I, Salvador Delgado II, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 30, 2014, Luis Alonzo Luna was booked into the Maricopa County Jail (MCJ) by the Phoenix Police Department on local charges. While incarcerated at the MCJ, Luna was examined by Immigration Enforcement Agent S. Rothermel who determined Luna to be a Mexican citizen, unlawfully present in the United States. On the same date, an immigration detainer was lodged with the county jail. On October 13, 2017, Luna was released from the Arizona Department of Corrections and transported to the Florence ICE office for further investigation and processing. Luna was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Luis Alonzo Luna to be a citizen of Mexico and a previously deported criminal alien. Luna was removed from the United States to Mexico through Del Rio, Texas, on or about November 6, 2013, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Luna in any Department of Homeland Security database to suggest that he

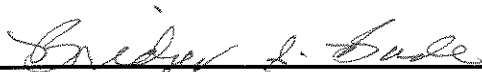
obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Luis Alonzo Luna's immigration history was matched to him by electronic fingerprint comparison.

4. On October 13, 2017, Luis Alonzo Luna was advised of his constitutional rights. Luna freely and willingly acknowledged his rights and declined to make any further statements.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about September 30, 2014, Luis Alonzo Luna, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about November 6, 2013, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).



Salvador Delgado II,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 16<sup>th</sup> day of October, 2017.



Bridget S. Bade,  
United States Magistrate Judge